

Conference on Disarmament

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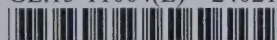
UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

Final record of the one thousand three hundred and fifty-eighth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 30 June 2015, at 10.05 a.m.

President: Mr. Maung Wai.....(Myanmar)

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The President: I call to order the 1358th plenary meeting of the Conference on Disarmament.

As announced last week, I continued to have bilateral discussions and consultations with member States over specifics that may be of concern to delegations on how best to address the methods of work of the Conference. Based on these consultations, I circulated the text of a draft decision to the other Presidents of the 2015 session and to the coordinators of the regional groups. After receiving some initial feedback, I asked the secretariat to formally circulate the text of a possible draft decision on the appointment of a special coordinator to seek views and receive proposals on the Conference's methods of work.

Before we start our exchange of views this morning, allow me to inform you that I have received a letter from the Secretary-General of the United Nations transmitting the report of the Group of Governmental Experts established by General Assembly resolution 67/53. The letter, which includes the report, has been issued as document CD/2023 in all the official languages; copies were placed in your pigeonholes yesterday.

I would also like to brief you about the discussions and consultations I had with member States over the past week. As I mentioned earlier, I circulated my proposed draft decision last week. Since then, I have received feedback from many delegations. Views are still quite divergent, but of course we need to continue to keep an open mind. I take the divergence as a welcome sign, a good sign. During the informal setting that will follow the formal plenary this morning, I will open the floor for interested delegations to air their views on the proposed draft decision. After today's plenary meeting, I will still need to consider the views and comments that will come back from the regional groups as they will be convening their coordination meetings tomorrow. Before the end of my presidency, my intention is to make another attempt to informally circulate a revised draft decision to all member States. This is just a tentative idea. I am still not sure whether that can happen or not.

I will now open the floor and invite all delegations wishing to do so to address any matter pertaining to the Conference. The following delegations have requested to take the floor. There is only one delegation on the list: India. I invite Ambassador Varma, the Permanent Representative of India, to take the floor.

Mr. Varma (India): I have the honour, Mr. President, of delivering this statement on behalf of the Group of 21.

The strong support of the international community for taking urgent and effective measures to achieve the total elimination of nuclear weapons was amply demonstrated at the high-level meeting of the General Assembly on nuclear disarmament held on 26 September 2013, when Heads of State and Government, foreign ministers and other high-level or senior government officials expressed their unambiguous position and policies for nuclear disarmament in response to the decision adopted in General Assembly resolution 67/39. Subsequent to this high-level meeting, the General Assembly adopted resolutions 68/32 and 69/58, titled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament". These resolutions called for the urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction.

The resolutions also requested the Secretary-General of the United Nations to seek the views of Member States with regard to achieving the objective of the total elimination of nuclear weapons, in particular on the elements of a comprehensive convention on nuclear weapons, and to submit a report thereon to the General Assembly and the Conference on Disarmament.

The General Assembly also decided to convene a United Nations high-level international conference on nuclear disarmament, no later than 2018, to review progress made in this regard, and it declared 26 September as the International Day for the Total Elimination of Nuclear Weapons.

The Group of 21 stresses the importance of the commemoration of the International Day for the Total Elimination of Nuclear Weapons, which falls on 26 September. In this regard, the Group expresses its appreciation to the Member States, the United Nations system and civil society, including non-governmental organizations, academia, parliamentarians, the mass media and individuals that developed activities in promotion of this International Day through all means of educational and public awareness-raising activities about the threat posed to humanity by nuclear weapons and the necessity for their total elimination, in order to mobilize the international efforts towards achieving the common goal of a nuclear-weapon-free world. The Group invites all stakeholders to continuously promote the International Day for the Total Elimination of Nuclear Weapons.

The Secretary-General of the United Nations, Mr. Ban Ki-moon, in his address to the Conference on Disarmament at its opening plenary meeting on 21 January 2014, noted that the high-level meeting of the General Assembly on nuclear disarmament demonstrated that this issue remains a major international priority. The Secretary-General warned against the revival of the mentality of the cold war. He also underlined the urgency of taking collective action by saying: "Do not hide behind utopian logic which says that until we have the perfect security environment, nuclear disarmament cannot proceed. This is old-think. This is the mentality of the cold war."

The Group welcomes the formal proclamation of Latin America and the Caribbean as a zone of peace on the occasion of the second summit of the Community of Latin American and Caribbean States (CELAC), held in Havana, Cuba, on 28 and 29 January 2014. The 33 member countries of CELAC declare to promote nuclear disarmament as a priority goal, thus to contribute to general and complete disarmament and the strengthening of trust among nations. CELAC once again reiterates its standing commitment to continue working for Latin America and the Caribbean to remain and be strengthened as a zone of peace, thereby contributing to regional and international security.

The persistent existence of nuclear weapons poses a grave threat to humanity and all life on Earth, and the only defence against the catastrophic humanitarian consequences of a nuclear detonation is the total and irreversible legally binding elimination of nuclear weapons and the maintenance of a nuclear-weapon-free world.

Nuclear disarmament is the highest priority of the Conference. The Group reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against their use or threat of use. The fulfilment of nuclear disarmament obligations and commitments would mutually reinforce non-proliferation. Nuclear disarmament has to be pursued in a comprehensive and non-discriminatory manner.

The Group of 21 is mindful of the solemn obligations of States parties undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament and calls for urgent compliance with the legal obligation of the fulfilment of the commitments undertaken in this regard.

We acknowledge the significant contribution made by a number of countries towards realizing the objective of nuclear disarmament through the establishment of nuclear-weapon-free zones, as well as by voluntary renunciation of nuclear weapons programmes or withdrawal of all nuclear weapons from their territories, and strongly supporting the speedy establishment of a nuclear-weapon-free zone in the Middle East.

We are deeply concerned by the persistent reluctance of nuclear-weapon States to approach their treaty obligations as an urgent commitment to the total elimination of their nuclear weapons by providing pretexts that are unacceptable due to the urgency of taking concrete action to avert the adverse consequences of nuclear weapons.

In this connection, we recall the unanimous conclusion of the International Court of Justice in its 1996 advisory opinion that there exists an obligation to pursue in good faith and bring to conclusion the negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

It is the firm belief of the Group that the time has come to put words into action. Accordingly, the Group of 21 takes this opportunity to call for the implementation of General Assembly resolutions 68/32 and 69/58. In this connection, the Group of 21 calls for the urgent commencement of negotiations on nuclear disarmament in the Conference, in particular on a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction.

We therefore request you, Mr. President, to take into account in your ongoing consultations how to take forward the mandate given to the Conference by the General Assembly on this important issue, and call upon members of the Conference to support this important initiative.

The President: I thank the Permanent Representative of India for that statement. I will of course take into account your ongoing consultations in the Group of 21 on how to take forward the mandate given to the Conference by the General Assembly on this important issue.

Does any other delegation wish to take the floor? That does not seem to be the case.

I recognize the representative of India.

Mr. Varma (India): Mr. President, we were willing to wait in line if other delegations had a desire to take the floor, but — as that does not seem to be the case — I wish to make a second statement on behalf of the Group of 21.

Mr. President, I have the honour to deliver, on behalf of the Group of 21, the following statement on the prevention of an arms race in outer space. At the outset, the Group congratulates you on the assumption of the presidency of the Conference on Disarmament and expresses its appreciation for the open,

transparent and efficient manner in which you are guiding the proceedings of the Conference.

The Group of 21 believes that space technology has indeed become an indispensable and integral part of our daily lives. Never before have information, communication, banking, economic transactions, navigation, and even political and strategic decision-making been so dependent on space-based technologies, which are themselves witnessing rapid growth.

The Group reiterates that outer space and other celestial bodies are the common heritage of humankind and must be used, explored and utilized for the benefit and interest of all humankind in a spirit of cooperation. The Group reaffirms that the exploration and use of outer space and other celestial bodies shall be for peaceful purposes only and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development.

The Group stresses that the growing use of outer space requires all States to take action to ensure greater transparency, confidence-building measures and better information. The Group believes that all States with major space capabilities have a special responsibility to contribute actively to the objective of the peaceful use of outer space and the prevention of an arms race in outer space. All States should refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation.

The Group recognizes that the prevention of an arms race in outer space would avert a grave danger for international peace and security. The Group emphasizes the necessity of undertaking further measures with appropriate and effective verification provisions to prevent an arms race in outer space in all its aspects.

The Group emphasizes the importance and urgency of preventing an arms race in outer space and the paramount importance of strict compliance with the existing legal regime concerning the use of outer space. In this regard, the Group is deeply concerned over the increasing threat of weaponization of outer space, including the negative implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technologies capable of being deployed in outer space, which have, inter alia, contributed to the further weakening of an international climate conducive to the promotion of disarmament and the strengthening of international security.

The Group stresses that all States bear a responsibility to refrain from activities that could jeopardize the collective goal of preserving outer space free from weapons of mass destruction and all other forms of weaponization so as to ensure that its benefits are available to all.

The Group considers that the multilateral disarmament agreements provide mechanisms for States parties to consult one another and cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements, and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter of the United Nations.

The prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to

deter further militarization of outer space or prevent its weaponization. The Group further reaffirms its recognition that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space. For that purpose, the Group stresses the need to consolidate and reinforce that regime and enhance its effectiveness.

In this regard, the Group reaffirms that the Conference on Disarmament is the single multilateral disarmament negotiating forum of the international community and has the primary role in conducting substantive negotiations on priority issues of disarmament. The Group, therefore, believes that the Conference should start negotiations on matters related to the prevention of an arms race in outer space without delay.

While welcoming the adoption by the General Assembly of resolution 69/31 on the prevention of an arms race in outer space, the Group recalls that the resolution made the following observations with regard to the Conference:

(a) The Conference on Disarmament has the primary role in the negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space in all its aspects; and

(b) The Conference on Disarmament should establish a working group under its agenda item entitled "Prevention of an arms race in outer space" as early as possible during its 2015 session.

The Group of 21 takes note of the completion of the work of the Group of Governmental Experts and the adoption of a study on outer space transparency and confidence-building measures — as requested in General Assembly resolution 65/68 on transparency and confidence-building measures in outer space activities — which was adopted by consensus at the sixty-eighth session of the Assembly. The Group, while stressing the priority of negotiating legally binding instruments for reinforcing the international legal regime on outer space, recognizes that global and inclusive transparency and confidence-building measures, reached through broad international consultations, could be important complementary measures. The Group recognizes the value of transparency and confidence-building measures, including a non-legally binding code of conduct, in promoting trust among States. However, such voluntary measures cannot be a substitute for a legally binding treaty on the prevention of an arms race in outer space.

The Group welcomes the updated draft treaty text on the prevention of the placement of weapons in outer space, the threat or use of force against outer space objects, submitted jointly by the Russian Federation and China to the Conference on Disarmament in June 2014. This initiative is a constructive contribution to the work of the Conference and is a good basis for discussions toward adopting an international binding instrument.

The Group also welcomes the adoption of resolution 69/32, entitled "No first placement of weapons in outer space", by the General Assembly on 11 December 2014.

The Group takes note of the substantive and interactive informal discussions on the prevention of an arms race in outer space that were held in the Conference from 11 to 13 June 2014 pursuant to the schedule of activities for the 2014 session as contained in document CD/1978.

Mr. President, this concludes the statement on the prevention of an arms race in outer space and I am happy to inform you that the Group of 21 for the moment has no further statements to make today.

The President: Thank you very much for that statement on behalf of the Group of 21. The Conference appreciates that it takes a lot of time and effort to prepare such a good statement as the one you just delivered.

Would any other delegation like to take the floor? I see none. In the light of the consultations, I would like to invite all delegations to share their views on the Conference's methods of work. In order to have a fruitful and open discussion, I suggest that we suspend the formal meeting and move to an informal setting. We will resume the formal meeting thereafter. I see no objection.

The meeting was suspended at 10.35 a.m. and resumed at 11.30 a.m.

The President: I reconvene the 1358th plenary meeting of the Conference on Disarmament. Would any delegation like to take the floor in this formal setting? I recognize the Permanent Representative of Finland.

Ms. Kairamo (Finland): Mr. President, I would like to ask how you wish to proceed, since my item would fall under the item "Any other business". If you would like to continue first the informal discussion, I could speak later when the floor is opened for other business.

The President: Would any other delegation like to speak at this point? That does not seem to be the case. Excellency, you have the floor.

Ms. Kairamo (Finland): I would like simply to inform delegations about the plans for the next meeting of the informal working group on a programme of work. The meeting will be held next Friday, 3 July, but a bit earlier than usual. It will start at 9.30 in the morning and the venue obviously will be the Council Chamber.

I invite the delegations in the informal working group to continue to provide their general views on the Conference's programme of work and on a possible way forward. In addition, I should note that the first meeting of the informal working group, held on 19 June, provided a very useful exchange of views on a programme of work. Drawing on that discussion and meeting, I would invite delegations to address one or more of the following questions. I will circulate informally to the delegations some questions that they may wish to address in their further deliberations on Friday.

The questions might be along the following lines. Would it be advisable to review the Conference's agenda and reflect whether there is consensus on any of the agenda items, or on any new items? If a legally binding agreement — or any agreements — would not be forthcoming in the near future, should the Conference consider negotiating politically binding agreements or instruments? Should the Conference consider reflecting on and possibly taking forward some issues at an expert level? How might the Conference consider and address agenda items outside the four core items? Those are some reflections that I might put forward to delegations for their comment; I will circulate the information also in writing.

The President: Thank you for sharing that information with us. Would any other delegation like to take the floor at this point? That does not seem to be the case.

In line with the schedule of activities published as document CD/2021, this coming Thursday, 2 July, we will continue to meet in this room from 10 a.m. to 1 p.m. and from 3 to 6 p.m. for informal meetings — I repeat, for informal meetings — on agenda items 1 and 2, with a general focus on the ban of the production of fissile materials for nuclear weapons and other nuclear explosive devices. The informal working group established by the decision contained in document CD/2022 with a mandate to produce a programme of work robust in substance and progressive over time in implementation will meet again this coming Friday, 3 July, from 9.30 a.m. to 12 noon. Please note the new time. The meeting will start at 9.30 a.m.

I would like to remind all delegations to check their pigeonholes for the documents distributed by the secretariat.

Although this may be the last plenary meeting under my presidency, it is more likely that we will hold another plenary meeting before the end of my presidency. In any event, allow me to thank you all for your support and your excellent cooperation.

Before I proceed with my remarks, let me now give the floor to the Permanent Representative of the Netherlands.

Mr. Van der Kwast (Netherlands): Mr. President, I do not want to interrupt any comments about the good cooperation under your leadership, but I was wondering — since we had, I thought, quite a substantial discussion this morning — what your intention is for moving on. We heard some remarks and suggestions by delegations that we think could help to further improve the text. So, I am wondering how you would see the future process with regard to the draft you presented this morning and the discussions.

The President: As I mentioned earlier, some of the regional groups will be convening their coordination meetings tomorrow, Wednesday. After I hear the views and comments that come back from them, I will try to convene another plenary meeting. I will try. That is all I can say at this point in time.

I will now proceed with my remarks.

Allow me to thank you all for your support and your excellent cooperation. I would especially like to thank the other Presidents of the 2015 session — Mexico, Mongolia, Morocco, the Netherlands and New Zealand — for their collegial support during the Myanmar presidency.

I would also like to thank the coordinators of the regional groups for their constructive cooperation. I am grateful to Ambassador Ramadan of Egypt, Ambassador Biontino of Germany, Ambassador Rowland of the United Kingdom of Great Britain and Northern Ireland, and Ambassador Aryasinha of Sri Lanka for having agreed to coordinate our informal meetings on substantive agenda items 1, 2, 3 and 4, and to Ambassador Kairamo of Finland for co-chairing the informal working group. Please allow me to thank the secretariat of the Conference on Disarmament, the conference services staff and the interpreters for their work and support during the Myanmar presidency.

It is very likely that we will have another plenary meeting before the end of this week. The next plenary meeting of the Conference on Disarmament will be

held next Tuesday, 7 July 2015, at 3 p.m., under the presidency of Ambassador Van der Kwast of the Netherlands.

This concludes our meeting today.

The meeting rose at 11.45 a.m.



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